

The Cheerleaders and the Prank

Gender roles among students have changed a lot since most educators were themselves students at the primary level. There have been countless news stories that depict female students as less than the stereotype: sweet as spice and everything nice. Movies and TV shows have shown girls to be conniving, relentless, and calculating. Although these groups of girls are a minority, they have given schoolgirls a general, harsh reputation. Additionally, some girls today are no longer afraid of being labeled with unflattering names or having a reputation that gives them a fragile social status among their peers. Instead, recent news stories have featured girls who seek notoriety in whatever way is quickest. Additionally, some reported incidents have involved female students who appear to have no emotional affect or concern for others. Such attitudes in female students who are self-absorbed and eager to become infamous can create dangerous situations for students who share a campus with them. While boys can be described in the same way, the following case focuses on a group of girls who take a prank too far.

THE CASE

The Middle School and Its Reputation

Wayne Middle School (WMS), a campus of about a thousand students in grades six through eight, has long had the reputation of being the middle school with the problem parents and students. Specifically, WMS has been known for parents who bring lawyers to parent-teacher conferences, who regularly serve subpoenas to teachers when family custody battles emerge,

and who file lawsuits against teachers and administrators when they feel wronged (for example, when they or their children do not get special treatment). Following their parents' examples, some students regularly threaten to sue teachers and administrators, refuse to follow the Student Code of Conduct, and feel entitled to have their own way. Although WMS is not an affluent school, its students and their parents behave as if money is no object.

Because of this challenging environment, WMS has a rapid and constant turnover of teachers and administrators. Each year, more than half of the staff requests a transfer. New teachers are regularly assigned to WMS because no one else wants to be in such an antagonistic and litigious environment. The administration sees changes annually, with at least one new administrator taking the place of an exiting one. Few principals stay longer than fifteen months and, in the last seven years, a succession of five principals have served WMS. The two assistant principal (AP) positions tend to keep persons a bit longer than the principals, but the school has a hard time keeping them, too. This school year has started with a new principal, Ms. Barnes; the two APs start their second year this school year.

The superintendent and the school board are not very supportive of the staff at WMS, at least that is the perception of those at WMS. They see WMS as an embarrassment, yet the leaders at the central office and on the school board seem unable to help the staff at WMS to improve the campus environment. Some WMS parents influence the central office administrators and the school board members by giving them special treatment and favors. For example, the deputy superintendent went car shopping at the local Mercedes dealership, which is owned by a WMS parent who is prominent in the community, and the administrator got such a discount on a new car that he felt indebted to the parent. Now whenever the parent has an issue regarding his son at WMS, he immediately calls the deputy superintendent, who then calls the administrators at WMS and demands that they resolve the issue in the way the parent wants.

So, this year appears to be like all the rest. The WMS staff is anxious with the new principal starting, but they are happy to see the two APs returning. They are also nervous about the students whom they will have this year, as parents have made it so difficult to enjoy their jobs. Too much litigation, and the threat thereof, have the staff second-guessing everything that they do.

The New Assistant Principal

This school year began as it usually does, with everyone eager to have a good year. As the year progressed, however, an angry parent filed a bogus lawsuit against an AP, claiming that the administrator had had sexual relations with

his daughter. Although no concrete evidence pointed to a sexual affair and the daughter later confessed that she and her friends had made up the entire story, the AP was nevertheless encouraged to resign due to the optics. Even though he was found innocent of all charges, his name was tarnished in the education world, so he luckily found a corporate job. His resignation from WMS created a vacancy that needed to be filled immediately, and the principal hoped that the new AP could start before the Christmas break.

After a thorough but rushed search, the principal and her interviewing committee chose a new AP. Mr. Kibben had taught for fourteen years at the middle school level in a nearby school district, starting out as a speech and debate teacher and then teaching technology. With a goal of becoming an AP, he had just completed his master's degree in educational administration and received his state certification. He had hoped to serve as an AP within his former school district, but when the position opened at WMS, he felt it was kismet. This opportunity would provide him a chance to make more money and get closer to his goal of becoming a principal in a few years. It also meant that his wife could stay at home with their new twin babies. Regardless of the poor reputation of WMS, Mr. Kibben was determined to put in his time there and then move to a better school in a year or two.

The FEAR Cheer

The FEAR Cheer is a group of rebellious cheerleaders who dominate the school. They disregard the rules, bully other students, and even bully teachers whom they view as weak. The FEAR Cheer began about five and a half years ago when a group of the eighth-grade girls made the cheerleading squad. This clique vowed to create a school environment where girls ruled the campus and outshone the boys. The moniker "FEAR Cheer," or "FC" for short, came into being after these girls were involved in several incidents in which they mercilessly picked on other, more vulnerable students. They would regularly surround one student at a time in a hallway, bathroom, or classroom and yell at, hit, and spit on the cornered student until he or she cried and begged them to stop. The FC girls are proud to be a part of such an elite group, and they sport T-shirts, hats, jackets, purses, and jewelry emblazoned with the initials "FC."

The parents of the FC girls are proud of them, believing that their daughters are on their way to becoming strong feminists who will eventually attend an all-female college or university such as Smith or Wellesley. Like their daughters, the parents use bullying tactics when talking with teachers or administrators. They feel they can get their way because the superintendent's daughter was one of the founders of the original FC. Superintendent Lancit supported her daughter's strength in not allowing

anyone to bully her or "put her in her place" while she was a WMS student three years ago, and Dr. Lancit still supports the FC today.

The coach of the current FC girls is Ms. Veale, a new teacher and coach in her first year of teaching at WMS. After Ms. Veale was hired, she was asked by the principal to coach the cheerleaders because no one else wanted to. Before she could answer, she was reminded that being a sponsor of a student group would help her earn a teaching contract for the following year. Ms./Coach Veale reluctantly accepted, especially after hearing that she would be the seventh cheer coach in five years.

Three weeks before Christmas break, basketball season was in full swing, and the FC was determined to do something that would make this year's squad legendary. As little to no discipline is imposed on the FC, each year the squad pledges to do one outrageous act to provoke the school administration to react and their parents to slap a lawsuit. Two years ago, the eighth-grade FC girls claimed to have stolen \$1,500 worth of bras from a high-end department store by taking them off the rack, going to the dressing rooms to put them on under their clothes, and then walking out of the store. As they were clever enough to wear caps and undistinguishable clothing and avoid cameras and store clerks, no crime could be proved, and they escaped punishment.

Last year, the FC girls entered a sex shop while wearing their cheer outfits. They took items off the shelves, posed in questionable positions with them, and snapped photographs that they later posted on social media. When the shop owners asked them to leave, they ran, knocking over shelves on their way and damaging merchandise in the process. It was rumored that the girls' parents paid off the shop owners to keep them from filing any charges. The girls were not punished at school either, except for receiving demerits from the cheer coach. However, after the parents contacted the superintendent's office and succeeded in having the demerits removed and the cheer coach relieved of her duties, it was clear that the FC had gotten away with yet another prank.

This year, the FC girls had a plan that would top all past pranks and elevate them to eternal notoriety. Their prank was to take place before an eighth-grade boys' basketball game where they were to cheer. At one game, as the players were stretching and hanging out in the gym before the game, the FC took note that Marco, the team's manager and fellow classmate, was in the athletic cage, putting basketballs away. Marco was a bright student who was small for his age and mostly kept to himself, but he enjoyed helping the basketball team as their manager.

Nine girls approached Marco in the athletic cage, closed the cage door, and surrounded him. As the basketball players and coaches were preparing for the game in the gym, the FC girls began to tease Marco about his sexual desires and prowess, they made grand sexual overtures, and began to touch

his buttocks, groin, and mouth. The girls took their turns at restraining and muffling him with deep kisses, while others removed his clothing and began to kiss him and make hickeys all over his body. Two girls stood and took pictures and video of the whole incident, in case they would need to prove what they did as the most unforgettable FC stunt ever. Their goal was to leave one hundred hickeys on Marco. After seven grueling minutes, the girls quickly and stealthily exited the athletic cage, unnoticed. Marco was left to recover from the attack and think about what his next step would be.

Marco was embarrassed and did not know how to handle reporting what had happened without being seen as a wimp or as not liking having so many girls' attention. The FC girls felt confident that their prank would go unreported and would definitely make WMS history. The basketball game began, but without Marco, who escaped the school grounds without being seen. He walked the two miles to his house, trying to take an inconspicuous route. Marco knew that his parents would not be home until after his bedtime, so he was able to shower and get to bed without their seeing all the bright red hickeys that covered his body from head to toe.

The Aftermath

The next day, the FC girls came to school bragging about what some "lucky guy" had received from them, even showing pictures of Marco's body on their phones. The girls thought they were smart, because they were not going to e-mail, text, or distribute the pictures or videos to anyone; they would just invite students to come look at their phones to view their awesome prank. In each picture and video, the cheerleaders had covered Marco's face, so his identity was not discovered. They never mentioned Marco's name, but they hinted that he was the boy with "love bites" all over his body. Coach Veale heard of the supposed FEAR Cheer prank and, when she asked the cheerleaders to see the pictures or videos, they told her, "Go eat a chainsaw!"

One of Marco's friends, Ted, who was on the basketball team, noticed that Marco had disappeared before the game started the previous night. The coaches asked Ted whether he knew where Marco had gone, but Ted did not know. The next morning, Ted stopped at Marco's house on his way to school. No one answered his knock on the door, so he tried calling both the house phone number and Marco's cell number, but he still did not get an answer. When Ted reached the school, he heard the rumor about what the FC girls had done to a "lucky guy." Ted looked for his friend, and after finding no sign of him, he decided to report Marco missing to his assigned AP, Mr. Kibben.

Mr. Kibben had heard about the FC long before coming to Wayne Middle School, but he did not think Marco could be in any danger. Nonetheless,

after listening to Ted, he immediately called into Marco's scheduled class and was told by the teacher that Marco was not present. Like Ted, Mr. Kibben got no answer when he called Marco's home, but he was able to reach Marco's mother at her work number. She explained that she and her husband had gotten home late the night before and that when they checked on Marco, he was fast asleep in bed. They did not see Marco in the morning and thought that he had already left for school.

Mr. Kibben explained that Marco was not on campus and that his best friend, Ted, was worried because of the rumor that was being spread by the FC. The AP asked Marco's mother to meet him at her house, along with the school resource officer (SRO). Upon entering the home, they found Marco and were horrified at the sight of the bright red hickeys covering his body. When they asked him what had happened, Marco refused to answer. The boy's parents were very upset and demanded that charges be brought against the assailants. They also demanded that the SRO arrest the assailants, but the SRO needed a statement from Marco to pursue the case. Although Marco refused to name the FC girls as his assailants, Mr. Kibben had Ted's statement about Marco leaving the basketball game early, along with the now well-traveled rumor, as evidence that led to the FC. Mr. Kibben promised that something would be done from the school administration's side.

Heading back to campus, Mr. Kibben and the SRO discussed which sections of the Student Code of Conduct (SCOC) and the penal code had been violated, and they prepared to go to the principal with a plan of action to discipline and possibly arrest the FC squad. With the photographs and videos, they both felt that there would be enough evidence to move forward, but neither had seen this evidence and were not sure whether anyone would share them. They also needed to gather more statements from different students and call in the members of the FC to see whether any would break their silence. As the girls were openly bragging about the attack, Mr. Kibben and the SRO thought that someone would provide them with the pictures and videos that many students claimed to have seen. Mr. Kibben hoped that Marco would feel more comfortable providing a statement about who had assaulted him if there was concrete proof.

Mr. Kibben has much to think about. First, his principal, Ms. Barnes, is new and has already voiced concerns about coming back next year. She has had a couple of run-ins with some FC parents for supporting the coach who benched two cheerleaders who did not make the grade over the last six weeks. These parents complained to the superintendent and insisted that Ms. Barnes be fired. Second, the superintendent made it very clear in an e-mail at the beginning of the school year that all FC cheerleaders should be given special consideration before being disciplined for any reason. She also instructed that she be contacted before any discipline is administered. Yes, Mr. Kibben has a lot to think over before he takes action.

WHAT ELSE DO I NEED TO KNOW?

The following is a brief insight into the issues presented in the case study, with a brief literature review to help give context to those issues.

Assault and Sexual Assault

Many state penal codes address crimes involving assault and sexual assault. An assault is a threat or physical contact that is offensive or harmful. In the Texas Penal Code Chapter 22, assault is defined as the following:

- a. a person commits an offense if the person:
 - 1 intentionally, knowingly, or recklessly causes bodily injury to another, including the person's spouse;
 - 2 intentionally or knowingly threatens another with imminent bodily injury, including the person's spouse;
 - 3 intentionally or knowingly causes physical contact with another when the person knows or should reasonably believe that the other will regard the contact as offensive or provocative.

For a verbal attack to be considered an assault, the victim must believe that a physical assault is imminent, and imminent is the key word. According to the Florida Statute, Chapter 784 on Assault, Battery, and Culpable Negligence, verbal assault is defined:

An "assault" is an intentional, unlawful threat by word or act to do violence to the person of another, coupled with an apparent ability to do so, and doing some act which creates a well-founded fear in such other person that such violence is imminent.

Therefore, an assault occurs between at least two people and involves a threat or direct contact with the victim's body.

Sexual assault, then, is defined, in part, by the Michigan Penal Code 750.520b:

- 1 A person is guilty of criminal sexual conduct in the first degree if he or she engages in sexual penetration with another person and if any of the following circumstances exists:
 - a. That other person is under 13 years of age.
 - b. That other person is at least 13 but less than 16 years of age and any of the following:
 - i. The actor is a member of the same household as the victim.
 - ii. The actor is related to the victim by blood or affinity to the fourth degree.

- iii. The actor is in a position of authority over the victim and used this authority to coerce the victim to submit.

In Arizona, the definition for "without consent", as outlined in Title 13 of the Sexual Offense Laws, includes:

- a. The victim is coerced by the immediate use or threatened use of force against a person or property.
- b. The victim is incapable of consent by reason of mental disorder, mental defect, drugs, alcohol, sleep or any other similar impairment of cognition and such condition is known or should have reasonably been known to the defendant. For purposes of this subdivision, "mental defect" means the victim is unable to comprehend the distinctively sexual nature of the conduct or is incapable of understanding or exercising the right to refuse to engage in the conduct with another.
- c. The victim is intentionally deceived as to the nature of the act.
- d. The victim is intentionally deceived to erroneously believe that the person is the victim's spouse.

Sexual assault in Arizona, therefore, occurs when a person intentionally or knowingly engages in sexual intercourse or oral sexual contact with any person without consent of such person. In some states, contact with the breasts does not constitute a sexual assault, but such contact would still be considered a regular physical assault.

When a minor has been assaulted, either the child or the parents must bring the charge to the police, who ultimately will seek a first-hand witness statement. When an assault occurs at home, parents may file on behalf of the minor child, but after a child has reached the age of seventeen or eighteen, the child's witness statement is essential. Even if the child and the parent refuse to report an assault or a sexual assault, the school may bring charges against the aggressor (for example, the cheerleaders in this case study) if the incident took place on campus or during a school-sponsored trip (such as a football game) based on violations of the Code of Conduct. For instance, if a student punches another student in the face, an administrator may file criminal charges against the aggressor for assaulting another person, with or without the cooperation of the victim. Conversely, for police to file assault charges against the same student, the student who was assaulted would have to cooperate (in most states, unless it was a family member by definition). Furthermore, when pictures or videos are posted in a public forum, such as a social media site, they become public information and, therefore, the school may pursue administrative charges.

When several assailants attack one victim, each assailant is considered separately as one person individually committing the assault on the

victim. Many states do not recognize group crime, unless it falls under the organized-crime statute or the gang activity laws. Also, each state has its own codes relating to premeditation or malice aforethought: Did the accused commit a crime with malice? Did the accused have time to think about the consequences of the crime before committing it?

In sexual assault cases, the age of the victim is important, as different ages bring different statutes into play. If an eighth grader, such as Marco, has been sexually assaulted, a question that must be asked is, "Does the victim have the ability to give sexual consent?" The answer depends on the age of consent as outlined in your state's penal code. Some states have seventeen as the age of consent, whereas in other states, the age of consent may be much lower. Even if the assailant is the same age as the victim, the only age that matters is that of the victim. For all educators, it is prudent to know and understand what your state's criminal code specifies regarding assault and sexual assault and how the code aligns with your district's SCOC.

When it comes to sexual assault or sexual harassment in schools, research may help in understanding how to help both male and female students to cope. First, it has been found that females are primary victims, even though males have reported experiencing sexual assaults or harassment in schools (Henderson, 2008). Even when males are victims, according to Balogh, Kite, Picke, Canel, and Schroeder (2003), it was reported that males are less likely as compared to females to acknowledge that sexual harassment has occurred.

Second, Franiuk (2007) reported that sexual assault is underreported and that victims who choose not to report sexual harassment do so because they would like to "forget the experience, may not want to risk accusations of dishonesty, or may blame themselves for the incident" (p. 105). Many times, victims know their assailant, which also makes not reporting easier. Henderson (2008) found that those who experience sexual harassment, especially by the hand of someone whom they know at school, have reported feeling shame, fear, and embarrassment. This is reflected by talking less in class, staying at home, changing their regular routines, altering routes to and from school, and avoiding familiar places. Balogh et al. (2003) also found in their review of literature that those who encounter sexual harassment reacted through "somatic symptoms, decreased work performance, anxiety, depression, self-blame, anger, feelings of helplessness, fear of further or escalating harassment, and fear of retaliation for reporting the incident;" Male victims exhibited confrontational coping strategies when dealing with incidents of sexual harassment (p. 339).

Although sexual assaults and harassment can occur at any level in public schools, Young, Grey, and Boyd (2009) found that sexual assaults occurred more often in high schools, and the authors advocate for a relationship or dating violence prevention program, which may decrease or stop assaults altogether. These types of programs are most effective when they focus on

non-dating acquaintance relationships (p. 1,082). Moreover, schools may inadvertently perpetuate the presence of sexual assault and harassment. In an article by Banyard, Moynihan, and Crossman, (2009), it was reported that schools create a risk environment due to the large population of students on one campus. With a sea of students constantly filling the halls, classrooms, bathrooms, and other covert places, it becomes easy for one student to be cornered by another and for an assault to occur.

Assaults can also be defined as a form of bullying, and this form of bullying can become accessible through the Internet. Shariff and Johnny (2007) define bullying as always being "unwanted, deliberate, persistent and relentless. Victim blame appears to justify social exclusion from the peer group"; therefore, cyberbullying is hidden or covert and it is "insidious and anonymous because perpetrators are shielded by screen names" (p. 311). Additionally, they found that the bully usually gains more support than the victim the longer that bullying persists. The reason, as the authors explain, is due to the bystanders: The longer the bullying occurs, the more bystanders will take notice. On the Internet, a covert bully can encourage other covert bullies to join in on the harassment of another, and those who may fear bullying at school, will see it easier to bully covertly and anonymously from their computer. This gives them power that they otherwise do not have. As the FC did not post pictures on the Internet, could they still be considered to be cyberbullying?

Further, although some schools do have character education and bullying policies implemented, rarely do these implements reach the complexities of cyberbullying (Shariff & Johnny, 2007). Usually, schools do a great job of defining, talking about, and identifying instances of bullying, but rarely do they dig deeper to what it really looks like when a bully bullies others and what the ramifications can be (i.e., libel, legal action). Barnes, Cross, Lester, Hearn, Epstein, and Cowan (2012) posited that covert bullying behaviors are invisible to educators, because overt bullying behaviors are easier to see and address. Additionally, schools rarely allow students to set the bullying prevention agenda, which may have educators missing the mark totally for their group of students. When it comes to online bullying, each state has its own set of laws, and each school district its own set of policies. When cyberbullying is suspected, Shear (2015) suggests that law enforcement should be involved due to the significant First Amendment issues that may be present. One other thing to note here is that often times persons using the Internet to bully will create online aliases, so as to give the appearance that other people support their position/bullying.

Outside Influences

State and federal codes mandate that parents must be a part of their children's education. Laws such as No Child Left Behind and the Individuals

with Disabilities Education Act outline what parental involvement should look like on a campus and how educators should work with parents to help a child's academic achievement. At what point, however, do parents overstep their bounds and begin to harm their child's education? And at what point must administrators support the majority of the school rather than a small minority who consistently break the rules?

Many educators have seen how a school board member or even a superintendent is influenced by people in the community. In many states and cities, school board members are elected, and superintendents are appointed, so it is not surprising that those persons may want to appease the community members who have elected them or influenced their appointment. It is also natural that those who make the tough decisions for a school district want to be liked within their community. Superintendents would like to hold on to their position as long as possible, so being liked and being perceived as doing a good job are important to them. Unfortunately, making friends with and "getting on the good side" of those who can affect an election or an appointment may become the main goal of some educators and school board members.

How do other educators work with such persons? How does a principal, an AP, or a teacher encourage students to be successful and understand morals and ethics when other educators and some parents display the opposite of what students should learn? This is the fine line of politics in both administration and teaching: working toward keeping your job and earning a contract for the next year without upsetting anyone who could veto that contract, while simultaneously following the ethical and moral codes for educators as established by state and federal laws and doing what is best for *all* students and educators on a campus.

NCZ—NO CONSEQUENCE ZONE

Answer the questions below by applying what you know about this case and thinking about the steps you would take if you were faced with this situation or a similar one.

- 1 The SCOC should have a section that focuses on violations that are also penal code offenses, such as assault or sexual assault. These types of violations are arrestable offenses, and students who commit them are usually sent to an alternative education placement. Review your state's code and your school's SCOC, and then answer the following questions.
 - a. What violations did the girls in the FC squad commit according to your state's and school's codes? What would be your plan of action for disciplining the girls?

- b. Would the girls be arrested, and if so, what must be done for their arrest to occur?
 - c. What are the expellable offenses listed in your SCOC? Would the FC's actions lead to expulsions for the cheerleaders?
- 2 The SCOC and the state penal code usually define groups of students who are involved with criminal activity on a campus and in the community.
 - a. What are your state's definitions of a gang, a sorority, a fraternity, and a secret society?
 - b. Does the FC fall into this category of defined groups? Could the FC be subject to additional punishments beyond those specified by the SCOC?
- 3 The partnering of educators with parents is essential to student success in both academic and civic responsibility.
 - a. How do the educators on a campus help to create a school environment wherein educators and parents are partners, not adversaries?
 - b. Considering what happened to Marco in this case study, what steps need to be taken at the campus level to ensure that all students at the school are safe and that they receive the same, consistent, fair treatment when they violate the rules? Do any of these steps need to be implemented on your campus, too? What steps would parents be able to share in implementing?
- 4 Now let us look at the ripple effects of the incident described in this case study.
 - a. How do you think Marco and his family will be affected emotionally and socially by the incident? What supports are available to help them recover?
 - b. How will other students on the campus be affected?
 - c. What are the social, emotional, and political implications for the coaches, the administrators, and the SRO?
 - d. What consequences could the members of the FC who participated in the attack experience? How do you think this event will affect their future?
 - e. How might a similar event play out differently in your school and your community?

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